

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION**

JOHNATHAN A. JERRELL

PLAINTIFF

v.

Civil No. 5:17-cv-05184

**BENTON COUNTY SHERIFF'S
DEPARTMENT**

DEFENDANT

OPINION AND ORDER

This is a civil rights case filed by the Plaintiff under the provisions of 42 U.S.C. § 1983. Plaintiff proceeds *pro se* and has filed an application to proceed *in forma pauperis* (ECF No. 2). Plaintiff was incarcerated at the Benton County Detention Center when he filed the Complaint.

On September 25, 2017, an Order was entered directing Plaintiff to file an Amended Complaint. (ECF No. 3). The Amended Complaint was due on October 6, 2017.

After mail was returned as undeliverable on October 3, 2017 (ECF No. 6), a change of address was entered to the home address Plaintiff had listed in the Complaint. In view of the change of address, an Order was entered (ECF No. 7) giving the Plaintiff an extension of time until October 27, 2017, to file his Amended Complaint.

To date, Plaintiff has not filed the Amended Complaint. He has not sought an extension of time to file the Amended Complaint. No mail has been returned as undeliverable since the change of address was entered. Plaintiff has not otherwise

communicated with the Court. In fact, the last communication the Court had from the Plaintiff was when he filed the Complaint on September 25, 2017.

Therefore, **this case is DISMISSED WITHOUT PREJUDICE** for failure to prosecute this action and failure to obey the orders of the Court. Fed. R. Civ. P. 41(b).

IT IS SO ORDERED this 8th day of November 2017.



TIMOTHY L. BROOKS
UNITED STATES DISTRICT JUDGE